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Official Public Records

Tarrant County Texas

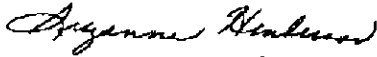
2009 May 05 09:03 AM

Fee: \$ 28.00

Submitter: SIMPLIFILE

**D209118939**

4 Pages



**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AMENDMENT TO OIL AND GAS LEASE AND MEMORANDUM**

**State:** Texas  
**County:** Tarrant  
**Lessor:** Judith Ann Ralston and husband, Paul Ralston  
**Lessee:** XTO Energy Inc.  
**Effective Date:** January 4, 2006

Lessee, named above, is the present owner of an Oil and Gas Lease (the "Lease"), dated January 4, 2006, from Lessor, named above, to XTO Resources I, L.P., recorded as a Memorandum thereof (the "Memorandum") in Tarrant County Clerk's Document No. D206050862, Official Public Records, Tarrant County, Texas.

At the time the Lease was entered into, the description of the lands contained in the Lease and Memorandum was believed by Lessor and (the original) Lessee to cover, and was intended by them to cover, certain lands owned by Lessor.

Since the execution, delivery, and recording of the Memorandum, it has been discovered that the description of lands contained in the Lease does not adequately describe the lands Lessor intended to lease to Lessee. Lessor and Lessee desire to amend and correct the description of lands contained in the Lease and Memorandum to accurately identify the lands to be covered by the Lease.

For adequate consideration, and the further consideration of the obligations and agreements contained in the Lease, Lessor acknowledges and agrees that the Lease and Memorandum shall cover, and the Lease and Memorandum are amended, so that they now cover the following lands in the county and state named above:

See Exhibit A attached hereto.

Lessor ratifies, adopts, and confirms the Lease and Memorandum and extends the Lease and Memorandum to cover the lands described in this Amendment as if the description of lands set out above had been originally included in the Lease and Memorandum. Lessor grants, leases, and lets to Lessee, its successors and assigns, the lands described in this Amendment for the purposes and upon the terms, conditions, and provisions contained in the Lease and Memorandum.

This Amendment shall be binding for all purposes on Lessor and Lessor's successors, heirs and assigns.

This Amendment is signed by Lessor as of the date of the acknowledgment of their signatures below, but is effective for all purposes as of the Effective Date stated above.

D209118939

LESSOR:

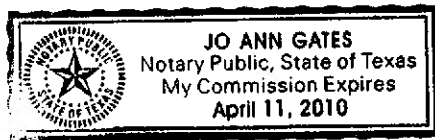
Judith Ann Ralston  
Judith Ann Ralston

LESSOR:

Paul Ralston  
Paul Ralston

THE STATE OF TEXAS §  
COUNTY OF Tarrant §

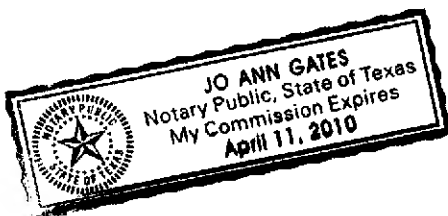
This instrument was acknowledged before me on the 2 day of April,  
2009, by **Judith Ann Ralston**.



Jo Ann Gates  
Notary Public in and for the State of Texas

THE STATE OF TEXAS §  
COUNTY OF Tarrant §

This instrument was acknowledged before me on the 2 day of April,  
2009, by **Paul Ralston**.



Jo Ann Gates  
Notary Public in and for the State of Texas

Exhibit A

64.0 acres, more or less, being described as the following four tracts:

Tract 1: 50.0 acres, more or less, situated in the Spencer Townsend Survey, A-1554, Tarrant County, Texas, more particularly described in that certain Warranty Deed date February 20, 1974, from Ralph R. Smalley et al., to Audrey Ella Clinton et vir, Albert T. Clinton, recorded in Volume 5707, Page 735, Deed Records of Tarrant County, Texas.

Tract 2: 9.84 acres, more or less, situated in the Spencer Townsend Survey, A-1554, Tarrant County, Texas, being all of that certain 25 acres, more or less, more particularly described in that certain Warranty Deed dated January 6, 1975, from Bobo B. Lawrence et al., to Audrey Ella Clinton, recorded in Volume 5762, Page 114A, Deed Records of Tarrant County, Texas, less and except the following tracts: (i) 3.00 acres, more or less, situated in the Spencer Townsend Survey, A-1554, Tarrant County, Texas, more particularly described in that certain Warranty Deed dated July 11, 1977, from Audrey Ella Clinton, to Judith Ann Richardson, recorded in Volume 6364, Page 90, Deed Records of Tarrant County, Texas; (ii) 5.83 acres (apparent resurvey of 4.653 acres), more or less, situated in Spencer Townsend Survey, A-1554, Tarrant County, Texas, being more particularly described in that certain Warranty Deed dated January 11, 2006, from Judith Ann Clinton Richardson Ralston, to Renee Kolar, recorded under Instrument #D206020648, Deed Records of Tarrant County, Texas; and (iii) 6.333 acres, more or less, situated in the Spencer Townsend Survey, A-1554, Tarrant County, Texas, more particularly described as "Tract 1" in that certain Correction Warranty Deed dated October 8, 2001, from Judith Ann Clinton Richardson Ralston, to Renee Kolar, recorded under Instrument #D206129028, Deed Records of Tarrant County, Texas, and leaving a residue of 11.014 acres, called 9.84 acres.

Tract 3: 3.00 acres, more or less, situated in the Spencer Townsend Survey, A-1554, Tarrant County, Texas, more particularly described in that certain Warranty Deed dated July 11, 1977, from Audrey Ella Clinton, to Judith Ann Richardson, recorded in Volume 6364, Page 90, Deed Records of Tarrant County, Texas.

Tract 4:

A 1.453 ACRE TRACT OF LAND OUT OF THE SPENCER TOWNSEND SURVEY, ABSTRACT No. 1554, TARRANT COUNTY, TEXAS, SAID TRACT BEING A PORTION OF THAT CERTAIN CALLED 22.0 ACRE TRACT IN DEED TO JUDITH ANN RALSTON AS RECORDED IN VOLUME 13150, PAGE 648, OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS, BEING THE SAME TRACT DESCRIBED IN THAT CERTAIN WARRANTY DEED FROM BOBO B. LAWRENCE AND WIFE JULIA A. LAWRENCE TO A.T. CLINTON AND WIFE, AUDREY L. CLINTON RECORDED IN VOLUME 4293, PAGE 297 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3" STEEL POST FOUND FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, AND THE SOUTHWEST CORNER OF THAT CERTAIN CALLED 2.398 ACRE TRACT OF LAND IN DEED TO BILLY LAWRENCE HELFIN AS RECORDED IN VOLUME 12905, PAGE 504 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS, SAID POINT ALSO BEING NORTH 906 FEET AND NORTH 89° 36' 37" WEST, 3920 FEET FROM THE SOUTHEAST CORNER OF THE SPENCER TOWNSEND SURVEY, ABSTRACT No. 1554;

THENCE SOUTH  $68^{\circ} 53' 45''$  EAST, GENERALLY ALONG A CHAINLINK FENCE AND THE SOUTH LINE OF THE AFOREMENTIONED 2.398 ACRE TRACT, AT 322.81 FEET PASS A 3" STEEL POST, CONTINUING IN ALL 371.44 FEET TO A "60D" NAIL FOUND IN THE CENTERLINE OF HODGKINS ROAD FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH  $32^{\circ} 45' 17''$  WEST, GENERALLY ALONG THE CENTERLINE OF HODGKINS ROAD, A DISTANCE OF 69.18 FEET TO A POINT;

THENCE SOUTH  $29^{\circ} 35' 15''$  WEST, GENERALLY ALONG THE CENTERLINE OF HODGKINS ROAD, A DISTANCE OF 100.00 FEET TO A POINT;

THENCE SOUTH  $23^{\circ} 30' 15''$  WEST, GENERALLY ALONG THE CENTERLINE OF HODGKINS ROAD, A DISTANCE OF 44.00' TO A POINT BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH  $58^{\circ} 38' 20''$  WEST, A DISTANCE OF 337.77 FEET TO A 3" STEEL POST FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH  $17^{\circ} 14' 23''$  EAST, GENERALLY ALONG A CHAINLINK FENCE, A DISTANCE OF 150.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.453 ACRES OF LAND, MORE OR LESS.

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